

JOURNAL OF THE SENATE

NINETIETH SESSION

THIRTY-SIXTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Wednesday, March 11, 2015

The Senate convened at 10:00 a.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Pastor Jeanine Rew-Werling, followed by the Pledge of Allegiance led by Senate pages Tristan Roy and Bailee Ward.

Roll Call: All members present.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the thirty-fifth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Corey Brown, Chair

Which motion prevailed.

COMMUNICATIONS AND PETITIONS

March 10, 2015

Mr. President and Members of the Senate:

I have the honor to inform you that on March 10, 2015, I approved Senate Bills 78 and 90, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Dennis Daugaard
Governor

March 11, 2015

Mr. President and Members of the Senate:

I have the honor to inform you that on March 10, 2015, I approved Senate Bills 5, 8, 9, 10, 29, 38, 56, 57, 75, 76, 80, 87, 88, and 93, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Dennis Daugaard
Governor

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared SB 51, 68, 73, 125, 131, and 178 and finds the same correctly enrolled.

Also MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that SB 137 and 168 were delivered to his Excellency, the Governor, for his approval at 9:45 a.m., March 11, 2015.

Respectfully submitted,
Corey Brown, Chair

REPORT OF CONFERENCE COMMITTEE

Cc120a

MR. PRESIDENT:

The Conference Committee respectfully reports that it has considered SB 120 and the amendments thereto made by the House, and the disagreement of the two houses thereon, and recommends that SB 120 be amended as follows:

120fd

On page 2, line 16, of the House engrossed bill, delete everything after "organization" and insert "¿".

On page 2, delete lines 17 and 18.

On page 2, line 21, delete everything after "organization" and insert "¿or".

On page 2, delete lines 22 and 23.

On page 2, line 24, delete "distilled spirits".

On page 3, line 2, delete everything after "organization" .

On page 3, lines 3 and 4 delete everything before ".".

On page 3, delete lines 16 to 18, inclusive.

On page 3, line 23, after "." insert "A civic, charitable, educational, fraternal, or veterans organization holding a special events license pursuant to subdivision 35-4-124(7) may accept donated alcoholic beverages from members of the public to be sold at the special event.".

On page 3, line 24, delete "distilled spirits, wine, or malt" and insert "alcoholic".

On page 4, line 1, delete everything after "." .

On page 4, delete lines 2 to 6, inclusive.

Respectfully submitted,
Lee Schoenbeck
House Committee Chair

Respectfully submitted,
Larry Tidemann
Senate Committee Chair

MESSAGES FROM THE HOUSE

MR. PRESIDENT:

I have the honor to inform your honorable body that SB 141 and 142 were tabled.

Also MR. PRESIDENT:

I have the honor to inform your honorable body that SB 135 was lost for failure to be placed on the House calendar.

Also MR. PRESIDENT:

I have the honor to return herewith SB 51, 68, 73, 125, 131, and 178 which have passed the House without change.

Also MR. PRESIDENT:

I have the honor to return herewith SB 1, 39, 52, 53, 54, 55, 64, 65, 66, 67, 69, 91, 92, 99, 100, 106, 109, 132, 134, 140, 152, 154, 174, 176, 179, 180, and 181 which have been amended by the House and your concurrence in the amendments is respectfully requested.

Respectfully,
Arlene Kvislen, Chief Clerk

MOTIONS AND RESOLUTIONS

Sen. Frerichs moved that the Senate do concur in House amendments to SB 2.

The question being on Sen. Frerichs' motion that the Senate do concur in House amendments to SB 2.

And the roll being called:

Yeas 28, Nays 6, Excused 1, Absent 0

Yeas:

Bradford; Buhl O'Donnell; Curd; Frerichs; Greenfield (Brock); Haggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Hunhoff (Bernie); Jensen (Phil); Monroe; Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim); Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Vehle; White

1 Nays:

2 Brown; Ewing; Holien; Lederman; Novstrup (David); Van Gerpen

3 Excused:

4 Cammack

5 So the motion having received an affirmative vote of a majority of the members-elect, the
6 President declared the motion carried and the amendments were concurred in.

7 Sen. Holien moved that the Senate do not concur in House amendments to SB 95 and that
8 a committee of three on the part of the Senate be appointed to meet with a like committee on
9 the part of the House to adjust the differences between the two houses.

10 Which motion prevailed and the President announced as such committee Sens. Holien,
11 Monroe, and Buhl O'Donnell.

12 Sen. Solano moved that the Senate do not concur in House amendments to SB 190 and that
13 a committee of three on the part of the Senate be appointed to meet with a like committee on
14 the part of the House to adjust the differences between the two houses.

15 Sen. Parsley moved as a substitute motion that the Senate do concur in House amendments
16 to SB 190.

17 The question being on Sen. Parsley's substitute motion that the Senate do concur in House
18 amendments to SB 190.

19 And the roll being called:

20 Yeas 13, Nays 21, Excused 1, Absent 0

21 Yeas:

22 Bradford; Buhl O'Donnell; Frerichs; Haggar (Jenna); Haverly; Heinert; Hunhoff (Bernie);
23 Parsley; Peters; Peterson (Jim); Sutton; Tidemann; Van Gerpen

24 Nays:

25 Brown; Cammack; Curd; Ewing; Heineman (Phyllis); Holien; Jensen (Phil); Lederman;
26 Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Rampelberg; Rave; Rusch; Soholt;
27 Solano; Tieszen; Vehle; White

28 Excused:

29 Greenfield (Brock)

30 So the motion not having received an affirmative vote of a majority of the members-elect,
31 the President declared the substitute motion lost.

1 Sen. Solano's motion prevailed and the President announced as such committee Sens.
2 Rave, Brown, and Sutton.

3 **SIGNING OF BILLS**

4 The President publicly read the title to

5 SB 51: FOR AN ACT ENTITLED, An Act to repeal the contingency funds available for
6 unanticipated costs related to medical services and to declare an emergency.

7 SB 68: FOR AN ACT ENTITLED, An Act to provide for a random sampling of
8 nominating petition signatures for statewide offices.

9 SB 73: FOR AN ACT ENTITLED, An Act to improve public safety regarding juvenile
10 justice.

11 SB 125: FOR AN ACT ENTITLED, An Act to revise the minimum suspension
12 requirements for students participating in extracurricular activities.

13 SB 131: FOR AN ACT ENTITLED, An Act to establish certain provisions regarding stray
14 electrical current and voltage remediation.

15 SB 178: FOR AN ACT ENTITLED, An Act to revise certain programs and authorize
16 certain projects in the Unified Judicial System and to make an appropriation therefor.

17 HB 1015: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding the
18 South Dakota Risk Pool.

19 HB 1041: FOR AN ACT ENTITLED, An Act to increase certain driver and commercial
20 driver licensing application fees and to dedicate certain revenue for the purpose of operating the
21 driver license program.

22 HB 1046: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding zero
23 based budgets, budgeting procedures, and the coordination of federally aided programs.

24 HB 1059: FOR AN ACT ENTITLED, An Act to allow authorized entities to access
25 immunization information in certain circumstances.

26 HB 1179: FOR AN ACT ENTITLED, An Act to revise the definition of a veteran.

27 HB 1215: FOR AN ACT ENTITLED, An Act to provide for an optional enhanced permit
28 to carry a concealed pistol.

1 HJR 1002: A JOINT RESOLUTION, making a formal application to the President of the
2 United States, that the President grant a presidential pardon to Peter L. Larson.

3 And signed the same in the presence of the Senate.

4 Sen. Rave moved that the Senate do now recess until 1:00 p.m., which motion prevailed
5 and at 11:22 a.m., the Senate recessed.

6 **RECESS**

7 The Senate reconvened at 1:40 p.m., the President presiding.

8 There being no objection, the Senate reverted to Order of Business No. 4.

9 **COMMUNICATIONS AND PETITIONS**

10 March 11, 2015

11 Mr. President and Members of the Senate:

12 I have the honor to inform you that on March 11, 2015, I approved Senate Bills 81 and 128,
13 and the same have been deposited in the office of the Secretary of State.

14 Respectfully submitted,
15 Dennis Daugaard
16 Governor

17 **MESSAGES FROM THE HOUSE**

18 MR. PRESIDENT:

19 I have the honor to inform your honorable body that the House has concurred in Senate
20 amendments to HB 1231.

21 Also MR. PRESIDENT:

22 I have the honor to inform your honorable body that the House has appointed Reps. Wink,
23 Gosch, and Hawley as a committee of three on the part of the House to meet with a like
24 committee on the part of the Senate pertaining to fixing the time of adjournment sine die for the
25 Ninetieth Legislative Session.

1 Also MR. PRESIDENT:

2 I have the honor to inform your honorable body that the House has appointed Reps. Wink,
3 Gosch, and Hawley as a committee of three on the part of the House to meet with a like
4 committee on the part of the Senate to wait upon his Excellency, the Governor, to inform him
5 that the Legislature has completed its labors, is ready to adjourn sine die, and to ascertain if he
6 has any further communications to make to the Legislature.

7 Respectfully,
8 Arlene Kvislen, Chief Clerk

9 **MOTIONS AND RESOLUTIONS**

10 Sen. Rave moved that SB 109, 179, 181, 54, 106, 53, 1, 55, 91, 92, 152, 174, 176, and 140
11 be placed to precede SB 39 on today's calendar.

12 Which motion prevailed.

13 Sen. Tidemann moved that the Senate do not concur in House amendments to SB 109 and
14 that a committee of three on the part of the Senate be appointed to meet with a like committee
15 on the part of the House to adjust the differences between the two houses.

16 Which motion prevailed and the President announced as such committee Sens. Tidemann,
17 Van Gerpen, and Parsley.

18 Sen. Peters moved that the Senate do not concur in House amendments to SB 179 and that
19 a committee of three on the part of the Senate be appointed to meet with a like committee on
20 the part of the House to adjust the differences between the two houses.

21 Which motion prevailed and the President announced as such committee Sens. Tidemann,
22 Rusch, and Heineman (Phyllis).

23 Sen. Tidemann moved that the Senate do not concur in House amendments to SB 181 and
24 that a committee of three on the part of the Senate be appointed to meet with a like committee
25 on the part of the House to adjust the differences between the two houses.

26 Which motion prevailed and the President announced as such committee Sens. Tidemann,
27 Parsley, and Haverly.

28 Sen. Peters moved that the Senate do not concur in House amendments to SB 54 and that
29 a committee of three on the part of the Senate be appointed to meet with a like committee on
30 the part of the House to adjust the differences between the two houses.

1 Which motion prevailed and the President announced as such committee Sens. Peters,
2 Parsley, and Holien.

3 Sen. Brown moved that the Senate do not concur in House amendments to SB 106 and that
4 a committee of three on the part of the Senate be appointed to meet with a like committee on
5 the part of the House to adjust the differences between the two houses.

6 Which motion prevailed and the President announced as such committee Sens. Otten
7 (Ernie), Soholt, and Parsley.

8 Sen. Peters moved that the Senate do not concur in House amendments to SB 53 and that
9 a committee of three on the part of the Senate be appointed to meet with a like committee on
10 the part of the House to adjust the differences between the two houses.

11 Which motion prevailed and the President announced as such committee Sens. Peters,
12 Holien, and Heinert.

13 Sen. Vehle moved that the Senate do not concur in House amendments to SB 1 and that
14 a committee of three on the part of the Senate be appointed to meet with a like committee on
15 the part of the House to adjust the differences between the two houses.

16 Which motion prevailed and the President announced as such committee Sens. Vehle,
17 Cammack, and Buhl O'Donnell.

18 Sen. Peters moved that the Senate do not concur in House amendments to SB 55 and that
19 a committee of three on the part of the Senate be appointed to meet with a like committee on
20 the part of the House to adjust the differences between the two houses.

21 Which motion prevailed and the President announced as such committee Sens. Rave,
22 Peters, and Sutton.

23 Sen. Rave moved that the Senate do not concur in House amendments to SB 91 and that
24 a committee of three on the part of the Senate be appointed to meet with a like committee on
25 the part of the House to adjust the differences between the two houses.

26 Which motion prevailed and the President announced as such committee Sens. Rave,
27 Heineman (Phyllis), and Hunhoff (Bernie).

28 Sen. Rave moved that the Senate do not concur in House amendments to SB 92 and that
29 a committee of three on the part of the Senate be appointed to meet with a like committee on
30 the part of the House to adjust the differences between the two houses.

1 Which motion prevailed and the President announced as such committee Sens. Rave,
2 Heineman (Phyllis), and Hunhoff (Bernie).

3 Sen. Rampelberg moved that the Senate do not concur in House amendments to SB 152
4 and that a committee of three on the part of the Senate be appointed to meet with a like
5 committee on the part of the House to adjust the differences between the two houses.

6 Which motion prevailed and the President announced as such committee Sens. Soholt,
7 Rampelberg, and White.

8 Sen. Peters moved that the Senate do not concur in House amendments to SB 174 and that
9 a committee of three on the part of the Senate be appointed to meet with a like committee on
10 the part of the House to adjust the differences between the two houses.

11 Which motion prevailed and the President announced as such committee Sens. Tieszen,
12 Haverly, and Solano.

13 Sen. Rave moved that the Senate do not concur in House amendments to SB 176 and that
14 a committee of three on the part of the Senate be appointed to meet with a like committee on
15 the part of the House to adjust the differences between the two houses.

16 Which motion prevailed and the President announced as such committee Sens. Rave,
17 Brown, and Sutton.

18 Sen. Lederman moved that the Senate do concur in House amendments to SB 140.

19 Sen. Rave moved the previous question.

20 Which motion prevailed.

21 The question now being on Sen. Lederman's motion that the Senate do concur in House
22 amendments to SB 140.

23 And the roll being called:

24 Yeas 16, Nays 18, Excused 1, Absent 0

25 Yeas:

26 Cammack; Ewing; Greenfield (Brock); Haggart (Jenna); Heineman (Phyllis); Holien; Jensen
27 (Phil); Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Peterson (Jim);
28 Rampelberg; Van Gerpen

1 Nays:

2 Bradford; Brown; Buhl O'Donnell; Frerichs; Haverly; Heinert; Hunhoff (Bernie); Parsley;
3 Peters; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Vehle; White

4 Excused:

5 Curd

6 So the motion not having received an affirmative vote of a majority of the members-elect,
7 the President declared the motion lost.

8 Sen. Brown moved that the Senate do not concur in House amendments to SB 140 and that
9 a committee of three on the part of the Senate be appointed to meet with a like committee on
10 the part of the House to adjust the differences between the two houses.

11 Which motion prevailed.

12 Sen. Vehle moved that the Senate do concur in House amendments to SB 39.

13 The question being on Sen. Vehle's motion that the Senate do concur in House amendments
14 to SB 39.

15 And the roll being called:

16 Yeas 34, Nays 0, Excused 1, Absent 0

17 Yeas:

18 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggard
19 (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
20 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
21 (Jim); Rempelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
22 Vehle; White

23 Excused:

24 Curd

25 So the motion having received an affirmative vote of a majority of the members-elect, the
26 President declared the motion carried and the amendments were concurred in.

27 Sen. Peters moved that the Senate do concur in House amendments to SB 52.

28 The question being on Sen. Peters' motion that the Senate do concur in House amendments
29 to SB 52.

1 And the roll being called:

2 Yeas 24, Nays 9, Excused 2, Absent 0

3 Yeas:

4 Brown; Cammack; Ewing; Greenfield (Brock); Haggar (Jenna); Haverly; Jensen (Phil);
5 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Peters; Rampelberg;
6 Rave; Rusch; Soholt; Solano; Tidemann; Tieszen; Van Gerpen; Vehle; White

7 Nays:

8 Bradford; Buhl O'Donnell; Frerichs; Heineman (Phyllis); Heinert; Hunhoff (Bernie); Parsley;
9 Peterson (Jim); Sutton

10 Excused:

11 Curd; Holien

12 So the motion having received an affirmative vote of a majority of the members-elect, the
13 President declared the motion carried and the amendments were concurred in.

14 Sen. Rave moved that the Senate do concur in House amendments to SB 64.

15 The question being on Sen. Rave's motion that the Senate do concur in House amendments
16 to SB 64.

17 And the roll being called:

18 Yeas 33, Nays 0, Excused 2, Absent 0

19 Yeas:

20 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
21 (Jenna); Haverly; Heineman (Phyllis); Heinert; Hunhoff (Bernie); Jensen (Phil); Lederman;
22 Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim);
23 Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle;
24 White

25 Excused:

26 Curd; Holien

27 So the motion having received an affirmative vote of a majority of the members-elect, the
28 President declared the motion carried and the amendments were concurred in.

29 Sen. Rave moved that the Senate do concur in House amendments to SB 65.

30 The question being on Sen. Rave's motion that the Senate do concur in House amendments
31 to SB 65.

1 And the roll being called:

2 Yeas 33, Nays 0, Excused 2, Absent 0

3 Yeas:

4 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
5 (Jenna); Haverly; Heineman (Phyllis); Heinert; Hunhoff (Bernie); Jensen (Phil); Lederman;
6 Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim);
7 Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle;
8 White

9 Excused:

10 Curd; Holien

11 So the motion having received an affirmative vote of a majority of the members-elect, the
12 President declared the motion carried and the amendments were concurred in.

13 Sen. Rave moved that the Senate do concur in House amendments to SB 66.

14 The question being on Sen. Rave's motion that the Senate do concur in House amendments
15 to SB 66.

16 And the roll being called:

17 Yeas 25, Nays 8, Excused 2, Absent 0

18 Yeas:

19 Brown; Cammack; Ewing; Greenfield (Brock); Haggar (Jenna); Haverly; Heineman (Phyllis);
20 Jensen (Phil); Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Peters;
21 Rampelberg; Rave; Rusch; Soholt; Solano; Tidemann; Tieszen; Van Gerpen; Vehle; White

22 Nays:

23 Bradford; Buhl O'Donnell; Frerichs; Heinert; Hunhoff (Bernie); Parsley; Peterson (Jim); Sutton

24 Excused:

25 Curd; Holien

26 So the motion having received an affirmative vote of a majority of the members-elect, the
27 President declared the motion carried and the amendments were concurred in.

28 Sen. Peters moved that the Senate do concur in House amendments to SB 99.

29 The question being on Sen. Peters' motion that the Senate do concur in House amendments
30 to SB 99.

1 And the roll being called:

2 Yeas 33, Nays 0, Excused 2, Absent 0

3 Yeas:

4 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
5 (Jenna); Haverly; Heineman (Phyllis); Heinert; Hunhoff (Bernie); Jensen (Phil); Lederman;
6 Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim);
7 Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle;
8 White

9 Excused:

10 Curd; Holien

11 So the motion having received an affirmative vote of a two-thirds majority of the members-
12 elect, the President declared the motion carried and the amendments were concurred in.

13 Sen. Peters moved that the Senate do concur in House amendments to SB 100.

14 The question being on Sen. Peters' motion that the Senate do concur in House amendments
15 to SB 100.

16 And the roll being called:

17 Yeas 25, Nays 8, Excused 2, Absent 0

18 Yeas:

19 Bradford; Buhl O'Donnell; Frerichs; Greenfield (Brock); Haggar (Jenna); Haverly; Heineman
20 (Phyllis); Heinert; Hunhoff (Bernie); Lederman; Monroe; Novstrup (David); Omdahl; Otten
21 (Ernie); Parsley; Peters; Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Van
22 Gerpen; White

23 Nays:

24 Brown; Cammack; Ewing; Jensen (Phil); Olson; Peterson (Jim); Tieszen; Vehle

25 Excused:

26 Curd; Holien

27 So the motion having received an affirmative vote of a majority of the members-elect, the
28 President declared the motion carried and the amendments were concurred in.

29 Sen. Rave moved that the Senate do concur in House amendments to SB 132.

30 The question being on Sen. Rave's motion that the Senate do concur in House amendments
31 to SB 132.

1 And the roll being called:

2 Yeas 30, Nays 3, Excused 2, Absent 0

3 Yeas:

4 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
5 (Jenna); Haverly; Heineman (Phyllis); Heinert; Jensen (Phil); Lederman; Monroe; Novstrup
6 (David); Olson; Omdahl; Otten (Ernie); Peters; Peterson (Jim); Rampelberg; Rave; Rusch;
7 Soholt; Solano; Tidemann; Tieszen; Van Gerpen; Vehle; White

8 Nays:

9 Hunhoff (Bernie); Parsley; Sutton

10 Excused:

11 Curd; Holien

12 So the motion having received an affirmative vote of a majority of the members-elect, the
13 President declared the motion carried and the amendments were concurred in.

14 Sen. Rave moved that the Senate do concur in House amendments to SB 134.

15 The question being on Sen. Rave's motion that the Senate do concur in House amendments
16 to SB 134.

17 And the roll being called:

18 Yeas 33, Nays 0, Excused 2, Absent 0

19 Yeas:

20 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
21 (Jenna); Haverly; Heineman (Phyllis); Heinert; Hunhoff (Bernie); Jensen (Phil); Lederman;
22 Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim);
23 Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle;
24 White

25 Excused:

26 Curd; Holien

27 So the motion having received an affirmative vote of a majority of the members-elect, the
28 President declared the motion carried and the amendments were concurred in.

29 Sen. Frerichs moved that the Senate do concur in House amendments to SB 154.

30 The question being on Sen. Frerichs' motion that the Senate do concur in House
31 amendments to SB 154.

1 And the roll being called:

2 Yeas 33, Nays 0, Excused 2, Absent 0

3 Yeas:

4 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
5 (Jenna); Haverly; Heineman (Phyllis); Heinert; Hunhoff (Bernie); Jensen (Phil); Lederman;
6 Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim);
7 Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle;
8 White

9 Excused:

10 Curd; Holien

11 So the motion having received an affirmative vote of a majority of the members-elect, the
12 President declared the motion carried and the amendments were concurred in.

13 Sen. Rave moved that the Senate do concur in House amendments to SB 180.

14 The question being on Sen. Rave's motion that the Senate do concur in House amendments
15 to SB 180.

16 And the roll being called:

17 Yeas 32, Nays 1, Excused 2, Absent 0

18 Yeas:

19 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
20 (Jenna); Haverly; Heineman (Phyllis); Heinert; Hunhoff (Bernie); Jensen (Phil); Lederman;
21 Monroe; Novstrup (David); Olson; Otten (Ernie); Parsley; Peters; Peterson (Jim); Rampelberg;
22 Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; White

23 Nays:

24 Omdahl

25 Excused:

26 Curd; Holien

27 So the motion having received an affirmative vote of a majority of the members-elect, the
28 President declared the motion carried and the amendments were concurred in.

29 There being no objection, the Senate reverted to Order of Business No. 7.

1 **MESSAGES FROM THE HOUSE**

2 MR. PRESIDENT:

3 I have the honor to inform your honorable body that the House has failed to concur in
4 Senate amendments to HB 1140 and has appointed Reps. Johns, Hunt, and Gibson as a
5 committee of three on the part of the House to meet with a like committee on the part of the
6 Senate to adjust the differences between the two houses.

7 Also MR. PRESIDENT:

8 I have the honor to inform your honorable body that the House has appointed Reps. Craig,
9 Hickey, and Haugaard as a committee of three on the part of the House to meet with a like
10 committee on the part of the Senate to adjust the differences between the two houses on SB 95.

11 Also MR. PRESIDENT:

12 I have the honor to inform your honorable body that the House has appointed Reps.
13 Munsterman, Stevens, and Bartling as a committee of three on the part of the House to meet
14 with a like committee on the part of the Senate to adjust the differences between the two houses
15 on SB 190.

16 Respectfully,
17 Arlene Kvislen, Chief Clerk

18 **ANNOUNCEMENT**

19 The President announced Sens. Tieszen, Rusch, and Buhl O'Donnell as a committee of
20 three on the part of the Senate to meet with a like committee on the part of the House to adjust
21 the differences between the two houses on HB 1140.

22 **CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEE**

23 Sen. Greenfield (Brock) moved that the report of the Conference Committee on SB 120
24 as found on page 663 of the Senate Journal be adopted.

25 The question being on Sen. Greenfield (Brock)'s motion that the report of the Conference
26 Committee on SB 120 be adopted.

1 And the roll being called:

2 Yeas 33, Nays 0, Excused 2, Absent 0

3 Yeas:

4 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haggar
5 (Jenna); Haverly; Heineman (Phyllis); Heinert; Hunhoff (Bernie); Jensen (Phil); Lederman;
6 Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim);
7 Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle;
8 White

9 Excused:

10 Curd; Holien

11 So the motion having received an affirmative vote of a majority of the members-elect, the
12 President declared the motion carried and the report was adopted.

13 There being no objection, the Senate reverted to Order of Business No. 7.

14 **MESSAGES FROM THE HOUSE**

15 MR. PRESIDENT:

16 I have the honor to inform your honorable body that the House has concurred in Senate
17 amendments to HB 1219.

18 Also MR. PRESIDENT:

19 I have the honor to inform your honorable body that the House has adopted the report of
20 the Conference Committee on SB 120.

21 Respectfully,
22 Arlene Kvislen, Chief Clerk

23 Sen. Rave moved that when we adjourn today, we adjourn to convene at 9:00 a.m. on
24 Thursday, March 12, the 37th legislative day.

25 Which motion prevailed.

1

ANNOUNCEMENT

2

3

4

The President announced Sens. White, Heinert, and Jensen (Phil) as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses on SB 140.

5

6

Sen. Rave moved that the Senate do now recess until 4:15 p.m., which motion prevailed and at 3:40 p.m., the Senate recessed.

7

RECESS

8

The Senate reconvened at 4:50 p.m., the President presiding.

9

There being no objection, the Senate reverted to Order of Business No. 6.

10

REPORTS OF JOINT-SELECT COMMITTEE

11

MR. PRESIDENT:

12

13

14

15

16

17

Your Joint-Select Committee appointed to make arrangements for legislative days respectfully reports that we recommend the days of the Ninety-first Legislative Session be January 12 through January 15, January 19 through January 22, January 25 through January 28, February 2 through February 5, February 8 through February 11, February 16 through February 19, February 22 through February 25, February 29 through March 3, March 7 through March 11, and March 29.

18

19

20

21

22

Respectfully submitted,
Mike Stevens
Kris Langer
Peggy Gibson
House Committee

Respectfully submitted,

Corey Brown

Tim Rave

Billie Sutton

Senate Committee

23

MR. PRESIDENT:

24

25

26

27

Your Joint-Select Committee appointed on joint rules respectfully reports that it has had under consideration the joint rules and recommends that the joint rules of the Ninetieth Legislative Session be adopted as the joint rules of the Ninety-first Legislative Session with the following changes:

1 Amend Chapter 5 of the Joint Rules as follows:

2 **5-17. Motion to delay action on amendments.** Final action upon any amendment to a bill or
 3 resolution may not be heard until one legislative day has intervened, if a request for delay is
 4 made and is supported by at least one-fifth of the members. However, no such request is in order
 5 during the last fourteen days of the session, less one day for every two days that the session is
 6 less than forty days. This rule cannot be invoked more than two times on the same bill in each
 7 house.

8 Amend Chapter 7 of the Joint Rules as follows:

9 **7-20. Scope of motion to defer to day certain beyond sine die.** The rules pertaining to
 10 motions to table and to defer to a day certain beyond sine die shall be the same except that a
 11 motion to defer to a day certain beyond sine die is debatable. ~~A member of the Senate may make~~
 12 ~~introductory remarks prior to making a motion to defer to a day certain beyond sine die.~~

13 Amend Chapter 17 of the Joint Rules as follows:

14 **CHAPTER 17. LEGISLATIVE DEADLINES**

Legislative Deadlines	Legislative Action	40 Day Session	35 Day Session
15	<u>Final day for unlimited introduction of individual bills and joint resolutions²</u>	<u>12th Day</u>	
16	Final day for introduction of individual bills and joint resolutions ²	15 th Day	10th Day
17	Final day for introduction of committee bills and joint resolutions ^{*1&2}	16 th Day	11th Day
18	Last day upon which Joint Rule 5-17 can be invoked on a bill or resolution in either house	26 th Day	21st Day
19	Last day to move required delivery of bills or resolutions by a committee to the house of origin ^{*1}	27 th Day	22nd Day
20	Last day to pass bills or joint resolutions by the house of origin ^{*1}	28 th Day	23rd Day
21	Final day for introduction of concurrent resolutions and commemorations	28 th Day	23rd Day
22	During the seven final legislative days motions to reconsider and reconsideration being made upon the same day (any time before adjournment)	34 th Day on	29th Day on
23	Last day to move required delivery of bills or resolutions by a committee to the second house ^{*1}	35 th Day	30th Day
24	Last day for a bill or joint resolution to pass both houses ^{*1}	36 th Day	31st Day
25	Two days preceding the final two days of a legislative session shall be reserved for concurrences	37 th Day 38 th Day	32nd Day 33rd Day

1	or action upon conference committee reports		
2	The final day of a legislative session is reserved for	40 th Day	35 th Day
3	the consideration of vetoes		
4	* ¹ This deadline does not apply to the general appropriations bill.		
5	² Bills and joint resolutions must be submitted to the Legislative Research Council at least		
6	48 hours prior to this deadline, pursuant to Joint Rule 6A-5.		

17-1. Calendar less than 40 days. If a Session Calendar is adopted for a period of ~~thirty-six~~ thirty-five (35) days to thirty-nine (39) days, inclusive, the legislative deadlines set forth in Chapter 17 of the Joint Rules ~~for a thirty-five (35) day session shall be increased by the same number of days by which the length of the adopted calendar exceeds thirty-five (35) days.~~ decreased as follows:

(1) Decrease the deadlines occurring after the 16th day but prior to the 34th day by one (1) day for every two (2) days by which the length of the adopted calendar is less than forty (40) days;

(2) Decrease the deadlines occurring on and after the 34th day by the same number of days by which the length of the adopted calendar is less than forty (40) days.

Respectfully submitted,
Dean Wink
Brian Gosch
Spencer Hawley
House Committee

Respectfully submitted,
Corey Brown
Tim Rave
Billie Sutton
Senate Committee

MESSAGES FROM THE HOUSE

MR. PRESIDENT:

I have the honor to inform your honorable body that the House has appointed Reps. Dryden, Jensen (Alex), and Hawley as a committee of three on the part of the House to meet with a like committee on the part of the Senate to adjust the differences between the two houses on SB 181.

Also MR. PRESIDENT:

I have the honor to inform your honorable body that the House has appointed Reps. Gosch, Johns, and Bartling as a committee of three on the part of the House to meet with a like committee on the part of the Senate to adjust the differences between the two houses on SB 179.

1 Also MR. PRESIDENT:

2 I have the honor to inform your honorable body that the House has appointed Reps. Westra,
3 Langer, and Schrempp as a committee of three on the part of the House to meet with a like
4 committee on the part of the Senate to adjust the differences between the two houses on SB 176.

5 Also MR. PRESIDENT:

6 I have the honor to inform your honorable body that the House has appointed Reps. Bolin,
7 Romkema, and Killer as a committee of three on the part of the House to meet with a like
8 committee on the part of the Senate to adjust the differences between the two houses on SB 174.

9 Also MR. PRESIDENT:

10 I have the honor to inform your honorable body that the House has appointed Reps. Haggard
11 (Don), Verchio, and Bordeaux as a committee of three on the part of the House to meet with a
12 like committee on the part of the Senate to adjust the differences between the two houses on
13 SB 152.

14 Also MR. PRESIDENT:

15 I have the honor to inform your honorable body that the House has appointed Reps.
16 Stevens, Hunhoff (Jean), and McCleerey as a committee of three on the part of the House to
17 meet with a like committee on the part of the Senate to adjust the differences between the two
18 houses on SB 109.

19 Also MR. PRESIDENT:

20 I have the honor to inform your honorable body that the House has appointed Reps. Wink,
21 Partridge, and Kirschman as a committee of three on the part of the House to meet with a like
22 committee on the part of the Senate to adjust the differences between the two houses on SB 92.

23 Also MR. PRESIDENT:

24 I have the honor to inform your honorable body that the House has appointed Reps.
25 Mickelson, Cronin, and Ring as a committee of three on the part of the House to meet with a
26 like committee on the part of the Senate to adjust the differences between the two houses on
27 SB 91.

1 Also MR. PRESIDENT:

2 I have the honor to inform your honorable body that the House has appointed Reps. Gosch,
3 Cronin, and Hawley as a committee of three on the part of the House to meet with a like
4 committee on the part of the Senate to adjust the differences between the two houses on SB 55.

5 Also MR. PRESIDENT:

6 I have the honor to inform your honorable body that the House has appointed Reps. Cronin,
7 Haggar (Don), and Hawks as a committee of three on the part of the House to meet with a like
8 committee on the part of the Senate to adjust the differences between the two houses on SB 53.

9 Also MR. PRESIDENT:

10 I have the honor to inform your honorable body that the House has appointed Reps. Westra,
11 Haggar (Don), and Feickert as a committee of three on the part of the House to meet with a like
12 committee on the part of the Senate to adjust the differences between the two houses on SB 1.

13 Also MR. PRESIDENT:

14 I have the honor to inform your honorable body that the House has appointed Reps. Cronin,
15 Jensen (Alex), and Bordeaux as a committee of three on the part of the House to meet with a
16 like committee on the part of the Senate to adjust the differences between the two houses on
17 SB 54.

18 Also MR. PRESIDENT:

19 I have the honor to inform your honorable body that the House has appointed Reps.
20 Mickelson, Anderson, and Ring as a committee of three on the part of the House to meet with
21 a like committee on the part of the Senate to adjust the differences between the two houses on
22 SB 106.

23 Also MR. PRESIDENT:

24 I have the honor to inform your honorable body that the House has failed to concur in
25 Senate amendments to HB 1190 and has appointed Reps. Langer, Hunhoff (Jean), and Soli as
26 a committee of three on the part of the House to meet with a like committee on the part of the
27 Senate to adjust the differences between the two houses.

1 Also MR. PRESIDENT:

2 I have the honor to inform your honorable body that the House has failed to concur in
3 Senate amendments to HB 1147 and has appointed Reps. Anderson, Sly, and Hawks as a
4 committee of three on the part of the House to meet with a like committee on the part of the
5 Senate to adjust the differences between the two houses.

6 Respectfully,
7 Arlene Kvislen, Chief Clerk

8 **ANNOUNCEMENTS**

9 The President announced Sens. Holien, Peterson (Jim), and Greenfield (Brock) as a
10 committee of three on the part of the Senate to meet with a like committee on the part of the
11 House to adjust the differences between the two houses on HB 1147.

12 The President announced Sens. Peters, Tidemann, and Frerichs as a committee of three on
13 the part of the Senate to meet with a like committee on the part of the House to adjust the
14 differences between the two houses on HB 1190.

15 Sen. Rusch moved that the Senate do now adjourn, which motion prevailed and at
16 4:53 p.m. the Senate adjourned.

17 Kay Johnson, Secretary